Title IX Sexual Harassment
Notice of Grievance Process

In accordance with the regulations adopted by the U.S. Department of Education pursuant to Title IX which took effect August 14, 2020, Bridgeport ISD adopts this grievance process to facilitate its prompt response to allegations of sexual harassment in its education programs or activities.

The sexual harassment grievance process is initiated by the filing of a formal complaint with the school's Title IX Coordinator. The formal complaint can be filed in person, by e-mail, or by first class mail at any time (not just during business hours); however, it may only be filed by the alleged victim (complainant) or the Title IX Coordinator. A determination will not be made regarding whether the individual alleged to have committed the sexual harassment (respondent) is actually responsible for sexual harassment until the end of the grievance process; until then, the respondent is considered not responsible.

After receiving a formal complaint, the school will send notice of the formal complaint to the respondent, along with any other known parties, and assign an investigator to gather evidence regarding the allegations. Once all evidence has been gathered, the parties will be given a copy of the evidence and the opportunity to provide a written response to the evidence within ten days. The investigation report, that fairly summarizes the relevant evidence, will then be completed and provided to the parties simultaneously. The parties will again have an opportunity to provide a written response. Once the investigation report is received by the decision-maker, the parties will be invited to submit written relevant questions to the decision-maker that they would like the other party or a witness to answer. Answers will be circulated with the parties with a limited opportunity to follow-up. Finally, the decision-maker will generate a written determination of responsibility that addresses each allegation in turn, and provides findings of fact, a determination of responsibility, and appropriate remedies and/or disciplinary measures.

The decision-maker makes his/her determination based on an objective evaluation of all relevant evidence including witness statements and physical evidence. The school has adopted a (preponderance of the evidence/clear and convincing evidence) standard.

Either or both parties may appeal the determination on one of the following grounds:

1) procedural irregularity that affected the outcome;

2) new evidence not previously available that will affect the outcome; and

3) a conflict of interest or bias of the Title IX Coordinator, investigator, or decision-maker that affected the outcome.

If an appeal is undertaken, each party will receive notice and have an opportunity to submit a written statement in support or challenging the determination. The appeal decision-maker will have no prior affiliation or knowledge of the allegations and will issue a written decision.

The school also offers an informal resolution process. However, informal resolution is completely voluntary and necessarily requires participants to forego rights they may have under the grievance process.

Throughout the grievance process, the complainant and respondent will be treated equitably. The school is committed to proceeding without bias and will disqualify anyone from serving as an investigator or decision-maker who exhibits a bias or has a conflict of interest. All school employees with a role in the sexual harassment grievance process receive training, and any party, upon request, may receive a copy of that training. Further, a party may not seek or be required to disclose information protected under a legally-recognizable privilege (attorney/client, doctor/patient, etc.), unless the person holding such privilege has waived the privilege.

During the grievance process, though not dependent upon it, individualized services designed to restore or preserve the complainant's equal access to the school's education program or activity may be provided to the complainant. These supportive measures may include counseling, course-related adjustments (deadline extensions), modifications of work or class schedules, campus escort services, increased security and monitoring of certain areas of campus, mutual restrictions of contact between the parties, changes in work or housing locations, leaves of absence, and other similar measures. Emergency removal of the respondent is rarely an appropriate supportive measure.

If the respondent is determined to be responsible for committing sexual harassment, the decision-maker may order disciplinary sanctions and remedies including, but not limited to, change in class schedule, change in campus, removal from school or program of choice, in-school suspension, out-of-school suspension, assignment to a disciplinary alternative education program, or expulsion for students, or reprimand, suspension, or employment termination for employees.

The school strives to resolve all sexual harassment allegations, from the filing of a formal complaint through the determination of responsibility, within sixty (60) days; however, these timelines may be changed, and extensions of time frames may be granted, for good cause at the sole discretion of the school.

Please contact the school's Title IX Coordinator, Abby Crawford, if you have any questions at acrawford@bridgeport isd.net or 940-683-5124.

Title IX Sexual Harassment
Formal Complaint

Sexual Harassment is defined by Federal Title IX Regulations as conduct on the basis of sex that satisfies one or more of the following:

a. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e. *quid pro quo*); or
b. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
c. Sexual assault (20 U.S.C. § 1092(f)(6)(A)(v)), dating violence (34 U.S.C. § 12291(a)(10)), domestic violence (34 U.S.C. § 12291(a)(8)), or stalking (34 U.S.C. § 12291(a)(30)).*

Federal law and school policy prohibit discrimination on the basis of sex; which includes acts of sexual harassment.

If you believe you have been a victim of sexual harassment, you may use this form to file a formal complaint with the school. If you are unable or unwilling to complete this form, but wish to file a formal complaint, please contact the school's Title IX Coordinator who can complete and sign the form on your behalf.

Once a formal complaint is filed, the school will begin the mandated grievance process which includes an investigation of the allegations and determination of responsibility. As part of that grievance process, the person you allege sexually harassed you ("respondent") will be provided with written notice of your allegations. No determination of responsibility will be made until the very end of the grievance process and the respondent is presumed not responsible until then.

Throughout the grievance process, both you ("complainant") and the respondent may be represented by an advisor, which may, or may not, be an attorney. Further, both the you and the respondent will have an opportunity to review and respond to the evidence collected by the investigator, review and respond to the investigation report, and submit questions for the other party and witnesses to answer prior to a determination of responsibility being made by a decision-maker who is not the Title IX Coordinator or the investigator.

Please be advised, the Student Code of Conduct prohibits knowingly making false statements or providing false information in the grievance process. Similarly, the Texas Educator's Code of Ethics prohibits an educator from intentionally, knowingly, or recklessly engaging in deceptive practices (Standard 1.1) or falsifying records either directly or indirectly (Standard 1.6).

The school does offer an informal resolution process; however, all parties involved must agree in writing to voluntarily participate in the informal process. If you would like to participate in an informal effort to resolve the allegations, please communicate that desire to the Title IX Coordinator at acrawford@bridgeportisd.net.

Your Name: _____ Telephone number: _____

Email address: _____

Physical address: _____

Advisor's Name: _____ Telephone number: _____

Email address: _____

Respondent's Name: _____

Any available contact information for respondent: _____

_____

_____

Please describe what happened. You may use and attach additional sheets of paper as necessary.

Who was involved?

Where did it happen?

When did it happen?

What happened?

Please describe in your own words why you believe this conduct is sexual harassment.

Did anyone witness what happened? If so, who are they and how can they be contacted?

If you have or know of any documents, tests, or other evidence you feel is relevant and will assist with the investigation, please describe them and then attach the records to this formal complaint. If the records are not within your control, please describe them and where they may be located. If the evidence is not a document, but some other type of physical evidence, please provide it with this Formal Complaint or deliver it to the Title IX Coordinator at 2107 15th Street, Bridgeport, TX 76426.

Please sign below acknowledging:

1. You have been advised and understand that school policy prohibits knowingly making false statements or submitting false information during the grievance process.
2. You have reviewed the information provided in this Formal Complaint and that, to the best of your knowledge, it is true and correct.

Signature: _____ Date: _____

TITLE IX COORDINATOR:

Signature: _____ Received: _____

*Definition Continued.

“Sexual Assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

“Dating Violence” means violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

“Domestic Violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A)fear for his or her safety or the safety of others; or (B)suffer substantial emotional distress.